

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

**FIRST APPEAL ST.NO.44390 OF 2003.
AND
FIRST APPEAL NO. 209 OF 2004**

The State of Maharashtra.	... Appellant.
Versus.	
Shri Namdev Hiru Phadke.	... Respondent.

**CORAM : ABHAY S.OKA, J.
DATED : 8th June, 2006.**

P.C.:

1. Time of eight weeks is granted to remove office objections. If the office objections are not removed within the stipulated time, the Appeal will stand dismissed for want of prosecution without further reference to the Court.

2. Admit.

3. Printing is dispensed with. The Appellant is directed to file private paper book along with sufficient number of copies thereof within a period of one year from today. If the paper book is not filed within the stipulated period, the Appeal will stand dismissed for want of prosecution without further reference to the Court.

4. In addition to service through Court, the Advocate for the Appellant is directed to serve private notice to the Respondent by Registered Post A.D. and/or Speed Post A.D. and/or by hand delivery. Hamdast allowed.

5. The Appellant is directed to deposit the entire amount due and payable under the impugned Judgment and Award with the Reference Court within a period of 12 weeks from today. This order is passed in exercise of powers conferred by sub-rule (3) of Rule 1 of Order XLI of the Code of Civil Procedure, 1908. If the amount is deposited the Reference Court will permit the Claimant to withdraw the same on furnishing security to the satisfaction of the Reference Court.

Judge.